

ASSEMBLY BILL

No. 725

Introduced by Assembly Member Bradford

February 17, 2011

An act to add Section 764 to the Public Utilities Code, relating to utility service.

LEGISLATIVE COUNSEL'S DIGEST

AB 725, as introduced, Bradford. Utility service: undergrounding of electrical and communications facilities.

Existing law authorizes the Public Utilities Commission to establish rules for all public utilities, subject to control by the Legislature. Consistent with this authority, the commission has adopted rules for construction of underground electric supply and communication systems.

Existing law declares that it is the policy of the state to achieve, whenever feasible and not inconsistent with sound environmental planning, the undergrounding of all future electric and communication distribution facilities that are proposed to be erected in proximity to any highway designated a state scenic highway. Existing law requires the commission to prepare and adopt a statewide plan and schedule for the undergrounding of electric and communications distribution facilities in accordance with this policy and the rules of the commission relating to the undergrounding of facilities.

This bill would require the commission, in consultation with electrical corporations, telephone corporations, and representatives of local government, to open an appropriate proceeding to evaluate whether to amend, revise, or improve its rules for replacing overhead electrical and communications facilities with underground facilities. The bill

would require the commission to submit a report relative to its evaluation to the Legislature by June 30, 2012.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 764 is added to the Public Utilities Code,
2 to read:
3 764. (a) The commission, in consultation with electrical
4 corporations, telephone corporations, and representatives of local
5 government, shall open an appropriate proceeding to evaluate
6 whether to amend, revise, or improve its rules for replacing
7 overhead electrical and communications facilities with underground
8 facilities. The issues to be addressed during the proceeding shall
9 include all of the following:
10 (1) How to provide more flexibility and control to local
11 governments.
12 (2) How to enhance public safety.
13 (3) How to improve reliability.
14 (b) The commission shall submit a report to the Legislature
15 relative to its evaluation by June 30, 2012. The commission may
16 revise its rules for replacing overhead electrical and
17 communications facilities with underground facilities without
18 further action by the Legislature.
19 (c) (1) The report to be submitted pursuant to subdivision (b)
20 shall be submitted in compliance with Section 9795 of the
21 Government Code.
22 (2) The requirement for submitting a report imposed under
23 subdivision (b) is inoperative on January 1, 2016, pursuant to
24 Section 10231.5 of the Government Code.